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EXAMINER

MCCARTHY, CHRISTOPHER S

ART UNIT	PAPER NUMBER
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2113

MAIL DATE	DELIVERY MODE
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03/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/658,508

Applicant(s)

JESTER, SCOTT A.

Examiner

CHRISTOPHER S. MCCARTHY

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-12,15,18,19,21,22,25-31,34,36-40,42,43,46-48,50-53,55 and 57 is/are rejected.
- 7) ☒ Claim(s) 7,13,14,16,17,20,23,24,32,33,35,41,44,45,49,54,56 and 58 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 25-31, 34, 46-48, 50-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Wookey U.S. Patent 6,023,507.

As per claim 25, Wookey teaches in a network of computing stations, a monitoring station for tracking conditions at the other computing stations in the network, said monitoring station including: a monitoring station processor (column 3, lines 35-48); a selector for determining a set of remote computing stations to be monitored from a monitoring station that includes the monitoring station processor (column 8, lines 31-51); a monitoring component operably associated with the selector and adapted to send cues in a sequence to the selected remote computing stations, thereby to cause each selected computing station to generate a condition record including computing station address information and condition information indicating at least one sensed condition at the computing station, and to present the condition record for retrieval by the monitoring station; said monitoring component being further adapted to retrieve the condition records presented by the computing stations; and a monitoring station memory including a first memory segment for storing a list of addresses individually identifying

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the remote computing stations (column 8, lines 31-51; column 9, lines 4-6; column 14, lines 7-14); wherein the monitoring station processor is adapted to generate a warning in response to receiving a condition record with a fault indication (column 4, lines 36-45); and wherein the monitoring component and the selector are configured to operate transparently to a user of the monitoring station processor until said processor generates a warning (column 5, lines 61-66).

As per claim 26, Wookey teaches the monitoring station of claim 25 further including: an image generator associated with the monitoring station memory, for generating visible images of the retrieved condition records, and a video display terminal operably coupled to the image generator and adapted to display the visible images, wherein the warning includes a visible image at the video display terminal (column 8, lines 31-51).

As per claim 27, Wookey teaches the monitoring station of claim 25 wherein: the monitoring component is adapted to send the cues in multiple repetitions of said sequence, and the monitoring station includes a second memory segment adapted to dynamically store the condition records retrieved by the monitoring component to thereby contain the condition records related to a most current repetition of the sequence (column 5, lines 43-49).

As per claim 28, Wookey teaches the monitoring station of claim 25 wherein: the monitoring component comprises computer software in the form of a monitoring program resident in the monitoring station processor, adapted to generate and send the cues in accordance with input from the selection component (column 4, lines 8-12).

As per claim 29, Wookey teaches the monitoring station of claim 28 wherein: the selector comprises an operator-controlled device linked to the monitoring station processor and configured to allow a system user to control said input (column 8, lines 31-51).

As per claim 30, Wookey teaches the system of claim 28 wherein: the selector comprises computer software in the form of a selection program operably associated with the monitoring program and the first memory segment (column 8, lines 31-51).

As per claim 31, Wookey teaches the monitoring station of claim 26 wherein: each of the condition records includes a plurality of condition information entries relating to different conditions sensed at the associated remote computing station, and the monitoring station incorporates an evaluation component for determining the presence of a fault with respect to each of the condition information entries (column 5, lines 8-19).

As per claim 34, Wookey teaches the monitoring station of claim 25 wherein: each of the condition records retrieved from one of the remote computing stations includes a plurality of condition information entries relating to different conditions at the remote computing station (column 5, lines 8-19).

As per claim 46, Wookey teaches a process for monitoring conditions at a plurality of remote computing stations, including: providing a detector array at each of a plurality of remote computing stations, and using each detector of each array to sense a condition at the associated station; using a controller at each station to receive a detector signal from each detector of the associated array, and to generate a condition signal corresponding to each detector signal, generating condition information at each computer station including a condition information entry corresponding to each condition signal (column 3, lines 34-61); assembling the condition information at each station, along with address information identifying that station, into a condition record associated with that station; sending a cuing signal from a monitoring computer to each of the remote computing stations (column 14, lines 8-14); responsive to receiving the

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cuing signal at each remote station, presenting the condition record associated with that station for retrieval by the monitoring computer; and using the monitoring computer to retrieve the presented condition records (column 5, lines 43-49).

As per claim 47, Wookey teaches the process of claim 46 further including: entering a list of the remote computing stations into the monitoring computer, and causing the computer to send the cuing signals in a sequence to the remote computing stations on the list (column 5, lines 43-49; column 8, lines 31-51).

As per claim 48, Wookey teaches the process of claim 47 further including: using a computer program resident in the monitoring computer to cause multiple repetitions of said sequence (column 5, lines 43-49).

As per claim 50, Wookey teaches the process of claim 47 wherein: entering the list comprises using an operator-controlled input device coupled to the monitoring computer (column 8, lines 31-51).

As per claim 51, Wookey teaches the process of claim 46 wherein: each detector array includes a plurality of detectors, whereby the condition information associated with each remote computing station includes a plurality of condition information entries (column 3, lines 34-61).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless —

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 38-40, 42-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson et al. U.S. Patent 6,714,976.

As per claim 38, Wilson teaches a self monitoring computing station, including:
a primary processor disposed at a computing station (column 5, lines 27-30); a detector array at the computing station, including at least one detector adapted to sense a condition at the computing station and generate a detector signal indicating the sensed condition (column 5, lines 27-30); a controller coupled to receive the detector signal from each detector of the array, and adapted to generate a condition signal corresponding to each detector signal; a condition information generator coupled to receive each condition signal and adapted to generate condition information including a condition information entry based on each received condition signal (column 6, lines 1-14); a memory at the computing station including a first memory sector for storing address information identifying the computing station, a second memory sector for dynamically storing the condition information, and a third memory sector for storing an acceptance standard corresponding to each condition information entry; and a comparator coupled to the second and third memory sectors, adapted to compare each condition information entry with its corresponding acceptance standard and generate a fault indication responsive to

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each failure of a condition information entry to satisfy the corresponding acceptance standard (column 11, line 66 – column 12, line 9); wherein the condition information generator further is adapted to present a condition record including the address information and the condition information for retrieval by a remote monitoring station, in response to receiving a cue from the monitoring station (column 7, lines 58-65; column 5, lines 16-18).

As per claim 39, Wilson teaches the computing station of claim 38 wherein: the detector array includes a plurality of detectors for detecting different conditions, and the condition information includes a plurality of condition information entries individually related to the different conditions (column 5, lines 27-35).

As per claim 40, Wilson teaches the computing station of claim 39 wherein: each of the condition records includes condition information entries corresponding to all of the different conditions (column 5, lines 27-35).

As per claim 42, Wilson teaches the system of claim 39 wherein: each of the acceptance standards consists essentially of one of the following: a maximum value, a minimum value, and a range of values (column 11, line 66 – column 12, line 11).

As per claim 43, Wilson teaches the computing station of claim 38 wherein: the controller operates independently of the primary processor (column 6, lines 1-14).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6, 8-12, 15, 18, 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Wookey.

As per claim 1, Wilson teaches a system for monitoring conditions at a plurality of computing stations remote from a monitoring station, wherein each computing station includes a primary processor and a chassis housing the primary processor; said system including: a plurality of detector arrays, each of the arrays located at a different one of a plurality of computing stations, each detector array including at least one detector adapted to sense a condition at the associated computing station and generate a detector signal indicating the sensed condition (column 5, lines 27-30); a plurality of controllers, each of the controllers located at an associated one of the computing stations and operatively coupled to the associated detector array to receive the detector signal from each detector of the associated array and generate a condition signal corresponding to each received detector signal; a plurality of condition information generators, each condition information generator located at an associated one of the computing stations, coupled to receive each associated condition signal, and adapted to generate condition information including a condition information entry based on each received condition signal (column 6, lines 1-14); a computing station memory at each computing station adapted to receive the associated condition information, including a first memory sector for storing address information identifying the associated computing station, and a second memory sector for dynamically storing the associated condition information; wherein each condition information generator further is adapted to present a condition record including the address information and

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the condition information for retrieval by a monitoring station, in response to receipt of a cue from the monitoring station (column 7, lines 58-65; column 5, lines 36-38)); and a monitoring station remote from the computing stations and communicatively coupled to the computing stations, including a monitoring station processor (column 4, lines 55-65). Wilson does not explicitly teach a selection component for individually selecting different ones of the computing stations, a monitoring component for generating cues and sending the cues to the selected computing stations, and an image generator adapted to generate visible images of the condition records presented in response to the cues and retrieved by the monitoring station. Wookey does teach a selection component for individually selecting different ones of the computing stations, a monitoring component for generating cues and sending the cues to the selected computing stations, and an image generator adapted to generate visible images of the condition records presented in response to the cues and retrieved by the monitoring station (column 8, lines 31-51; column 9, lines 4-6; column 14, lines 7-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the process of Wookey in the process of Wilson. One of ordinary skill in the art would have been motivated to use the process of Wookey in the process of Wilson because Wookey teaches his invention to be beneficial in the remote monitoring of distributed systems (column 1, lines 16-17); an explicit desire of Wilson (column 1, lines 15-20).

As per claim 2, Wilson in view of Wookey teaches the system of claim 1. Wookie teaches wherein: the monitoring component comprises computer software in the form of a monitoring program resident in the monitoring station processor, adapted to generate and send cues in accordance with selection input from the selection component (column 4, lines 8-12).

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As per claim 3, Wilson in view of Wookey teaches the system of claim 2. Wookey teaches wherein: the selection component comprises an operator-controlled device linked to the monitoring station processor and configured to allow a system user to control said selection input (column 8, lines 31-51).

As per claim 4, Wilson in view of Wookey teaches the system of claim 2. Wookey teaches wherein: the monitoring station further includes a memory segment for storing computing station address information comprising a list of addresses identifying the computing stations, and said selection component comprises computer software in the form of a selection program operatively associated with the monitoring program and the first memory segment to select the computing stations from the list of addresses (column 8, lines 31-51; column 14, lines 7-14).

As per claim 5, Wilson in view of Wookey teaches the system of claim 4. Wilson teaches wherein: the selection program and the monitoring program operate in the background, transparent to a user of the monitoring station processor (column 5, lines 62-66); and the monitoring station processor is adapted to generate a warning in response to receipt of a condition record including a fault indication (column 4, lines 36-45).

As per claim 6, Wilson in view of Wookey teaches the system of claim 5. Wilson teaches wherein: the monitoring station further includes a video display terminal coupled to the monitoring station processor for displaying images of condition records, and the warning includes a visible image at the video display terminal (column 4, lines 55-67; figure 1).

As per claim 8, Wilson in view of Wookey teaches the system of claim 1. Wilson teaches wherein: each of the detector arrays includes a plurality of detectors for detecting

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different conditions, and the condition information generated by each condition information generator includes a plurality of condition information entries individually relating to the different conditions (column 6, lines 1-14).

As per claim 9, Wilson in view of Wookey teaches the system of claim 8. Wilson teaches it further including: an evaluation component for determining, with respect to each of the condition entries, the presence of a fault (column 11, line 66 – column 12, line 9).

As per claim 10, Wilson in view of Wookey teaches the system of claim 9. Wilson teaches wherein: each of the computing station memories further includes a third memory sector for storing acceptance standards individually associated with the conditions, and the evaluation component includes a comparator coupled to the second and third memory sectors at each computing station for individually comparing the acceptance standards with the condition information entries and generating a fault indication responsive to each failure of a condition information entry to satisfy the associated acceptance standard (column 11, line 66 – column 12, line 9).

As per claim 11, Wilson in view of Wookey teaches the system of claim 10. Wilson teaches wherein: each of the acceptance standards consists essentially of one of the following: a maximum value, a minimum value, and a range of values (column 11, line 65 - column 12, line 9).

As per claim 12, Wilson in view of Wookey teaches the system of claim 10. Wilson teaches wherein: each of the condition information entries consists essentially of one of: a value associated with the detected condition; a fault indication; and a combination of the value and the fault indication (column 11, line 66 – column 12, line 9).

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As per claim 15, Wilson in view of Wookey teaches the system of claim 1. Wilson teaches wherein: each of the controllers operates independently of its associated primary processor (column 6, lines 1-14).

As per claim 18, Wilson in view of Wookey teaches the system of claim 1. Wilson teaches wherein: each of the condition information generators comprises a computer program resident in a data storage environment near the associated controller, and the first sector of each computer station memory is resident in said data storage environment (column 6, lines 1-14).

As per claim 21, Wilson in view of Wookey teaches the system of claim 1. Wookey teaches wherein: the selection component comprises computer software in the form of a selection program resident in the associated monitoring station processor (column 8, lines 31-51).

As per claim 22, Wilson in view of Wookey teaches the system of claim 21. Wilson teaches wherein: the selection program is written in a universal language and normally operates transparently to a user of the monitoring station processor (column 5, lines 5-26).

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Wookey in further view of Microsoft Computer Dictionary (MCD).

As per claim 19, Wilson in view of Wookey teaches the system of claim 1. Wilson teaches wherein: the selection component, the monitoring component and the image generator comprise computer programs resident in the monitoring station processor (column 6, lines 1-14; column 5, lines 62-66). Wilson does not teach the monitoring station memory includes a plurality of registers resident in the monitoring station processor. MCD does teach registers (page 379). It would have been obvious to one of ordinary skill in the art to use the register

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processor of MCD in the process of Wilson. One of ordinary skill in the art would have been motivated to use the register processor of MCD in the process of Wilson because MCD teaches the registers to hold certain data; an explicit desire of Wilson (column 4, lines 59-61).

8. Claims 36, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wookey in view of MCD.

As per claim 36, Wookey teaches the monitoring station of claim 26 wherein: the selector, the monitoring component and the image generator comprise computer programs resident in the monitoring station processor (column 8, lines 31-51; column 9, lines 4-6; column 14, lines 7-14). Wookey does not explicitly teach the monitoring station memory includes a plurality of registers resident in the monitoring station processor. MCD does teach registers (page 379). It would have been obvious to one of ordinary skill in the art to use the register processor of MCD in the process of Wilson. One of ordinary skill in the art would have been motivated to use the register processor of MCD in the process of Wilson because MCD teaches the registers to hold certain data; an explicit desire of Wookey (column 4, lines 8-16).

As per claim 36, Wookey teaches the monitoring station of claim 36 wherein: the selector and the monitoring component are written in a universal language (column 12, lines 18-23).

9. Claims 52-53, 55, 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wookey in view of Wilson.

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As per claim 52, Wookey teaches the process of claim 51. Wilson teaches it further including: maintaining a list of acceptance standards associated with each remote computing station, comparing the acceptance standards with the associated condition information entries in a one-to-one correspondence, and generating a fault indication responsive to each failure of a condition information entry to satisfy the associated acceptance standard (column 11, line 66 – column 12, line 9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the process of Wilson in the process of Wookey. One of ordinary skill in the art would have been motivated to use the process of Wilson in the process of Wookey because Wilson teaches his invention to be beneficial in the remote monitoring of distributed systems (column 1, lines 15-20); an explicit desire of Wookey (column 1, lines 16-17).

As per claim 53, Wookey in view of Wilson teaches the process of claim 52. Wilson teaches wherein: said comparing the acceptance standards with the associated condition information entries is performed at each of the remote computing stations (column 11, line 66 – column 12, line 9).

As per claim 55, Wookey teaches the process of claim 52 further including: generating visible images of the retrieved condition records (column 13, lines 33-42).

As per claim 57, Wookey teaches the process of claim 52 further including: generating a warning at the monitoring computer in response to retrieving a condition information entry that includes a fault indication (column 4, lines 36-45).

Allowable Subject Matter

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10. Claims 7,13-14,16-17,20,23,24,32-33,35,41,44-45,49,54,56,58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER S. MCCARTHY whose telephone number is (571)272-3651. The examiner can normally be reached on M-F, 9 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher S. McCarthy/
Primary Examiner, Art Unit 2113